

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LEVAR LEE ANTHONY SPENCE, :

Petitioner, : 1:17-cv-0881

:

v. : Hon. John E. Jones III

:

THOMAS L. MCGINLEY, *et al.*, :

Respondents. :

**ORDER**

**December 17, 2018**

NOW THEREFORE, upon consideration of the Revised Petition (Doc. 9) for writ of habeas corpus pursuant to 28 U.S.C. § 2254, and for the reasons set forth in the Court's Memorandum of the same date, it is hereby ORDERED that:

1. The Revised Petition (Doc. 9) for writ of habeas corpus pursuant to 28 U.S.C. § 2254 is DENIED.
2. There is no basis for the issuance of a certificate of appealability. 28 U.S.C. § 2253(c); *see also*, R. Governing §2254 Cases R, 11(a) (stating that “[t]he district court must issue or deny a certificate of appealability when it enters a final order adverse to the applicant”).
3. The Clerk of Court is directed to CLOSE this case.

s/ John E. Jones III  
John E. Jones III  
United States District Judge